UNITED
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Security Council

Distr.
GENERAL

S/1997/393
26 May 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 May 1997 addressed to you by Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq, concerning extensive Turkish incursions into the northern areas of Iraq, and the lack of concern shown by the Security Council with regard to this serious development.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-13668 (E) 260597 260597 270597

Annex

Letter dated 25 May 1997 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council

On 13 May 1997, Turkish armed forces carried out extensive acts of military aggression in the northern areas of Iraq, in which all types of weapons were used. This was on the pretext of repelling elements hostile to the Turkish authorities that are present in those areas owing to the situation currently in force there, which is well-known to the members of the Security Council and the international community.

Whatever excuse the Turkish Government put forward to justify this aggression, the latter was a flagrant, extensive and grave violation of the sovereignty, territorial integrity and national security of Iraq. It is also, without doubt, a flagrant and dangerous violation of the principles of international law and the Charter of the United Nations.

If, furthermore, we take into consideration that Security Council resolutions concerning Iraq, in particular Security Council resolution 687 (1991), affirm the commitment of all Member States to the sovereignty and territorial integrity of Iraq, the Turkish incursion into northern Iraq should be considered as a violation of Security Council resolution 687 (1991) and other Security Council resolutions concerning Iraq.

Mr. Mohammed Said Al-Sahaf, the Minister for Foreign Affairs of Iraq, has kept you informed of similar acts of aggression in his letters dated 6, 15 and 18 May 1997 addressed to you and to the Secretary-General of the United Nations.

Nevertheless, the Secretary-General of the United Nations, you yourself in your capacity as President of the Security Council, and the members of the Security Council, have not yet taken any measures in regard to this aggression, apart from a brief statement issued by the Secretary-General that was not commensurate with the gravity of the Turkish action.

The Council meets and takes measures, or discusses the taking of measures, when much less significant events take place than those which have taken and are taking place in the north of our country. For example, after Iraq had exercised its natural and humanitarian right to transport a number of sick and elderly persons by air to the Kingdom of Saudi Arabia in order to perform the pilgrimage, some members of the Security Council considered that such an event merited discussion by the Council, and raised an outcry, as you are well aware. At the same time, however, you did not consider that the entry into the territory of a sovereign State of tens of thousands of Turkish armed forces, supported by tanks, artillery and aircraft, merited your attention.

The Security Council's failure to show any interest in this serious incident poses many important questions with regard to the resolutions that the Council has adopted on Iraq. These resolutions have imposed a long series of harsh conditions and sanctions on Iraq. A fundamental question must be asked: are the provisions of Security Council resolutions which you demand Iraq should

implement your only concern, while Iraqi concerns about sovereignty and legitimate authority are of no interest to you?

The Security Council owes both Iraq and international public opinion an answer to this question.

You are also aware that when, on 31 August 1996, the Government of Iraq decided to send military forces to the city of Irbil in order to expel elements supported by Iran which had formed an alliance with one of the militias controlling the region, the United States of America launched a hostile missile attack on Iraq. The Unites States, however, is giving its blessing to the current Turkish military aggression against Iraq, and together with the United Kingdom, is imposing an air embargo on the north of Iraq that is unsupported by any international law or Security Council resolution, and which has created a situation which makes the north of our country a theatre of aggression and foreign incursion.

How can the Security Council explain a situation whereby it forcibly prevents the Government of Iraq from exercising its sovereignty over its territory and airspace, while it turns a blind eye to dangerous foreign military aggression that threatens this sovereignty?

While drawing the attention of yourself and the members of the Security Council to this flagrant contradiction in the position adopted towards Iraq, and the obvious hostility to its sovereignty, rights and legitimate authority on the part of the States members of the Security Council, Iraq reserves its complete right to protect its sovereignty, territorial integrity and security.

(Signed) Tariq AZIZ
Deputy Prime Minister

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S/1997/394
27 May 1997

ORIGINAL: ENGLISH

LETTER DATED 27 MAY 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward herewith a letter dated 21 May 1997 addressed to you from the President of the Federal Government of the Federal Republic of Yugoslavia, Dr. Radoje Kontić, concerning the Prevlaka issue.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

97-13855 (E) 270597

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Annex

Letter dated 21 May 1997 from the President of the Federal Government of the Federal Republic of Yugoslavia addressed to the President of the Security Council

The United Nations Security Council, by its resolution 1093 (1997) of 14 January 1997, extended the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) until 15 July 1997. In that context, I wish to underscore that the members of the United Nations force making up UNMOP are carrying out their duty in a very professional way, whereby they have made an important contribution to the lessening of tension and the tranquillization of the situation in that region. In so doing, they have the full support of the Federal Republic of Yugoslavia, which appreciates very much their engagement so far.

As you know, the problem of Prevlaka is at its core a territorial dispute between the Federal Republic of Yugoslavia and the Republic of Croatia. This issue has been the subject of lengthy bilateral negotiations, of which you have been advised. Ever since the emergence of the problem, the Federal Republic of Yugoslavia has sought to solve it in a peaceful way and through negotiations, with the aim of finding a mutually acceptable solution.

Unfortunately, despite the great efforts that we have invested, it has not been possible to reach an acceptable solution of this problem so far, nor has any significant progress been made in that direction. The main reason lies primarily in the position of the Croatian side, which evidently has not been ready, at least so far, to solve the problem through negotiations, as well as in its attitude on the ground, of which the Security Council has been regularly informed.

Proceeding from these considerations, as well as from the situation on the ground, the Federal Republic of Yugoslavia is of the view that, for the purpose of maintaining security and strengthening the necessary atmosphere of confidence, it will be necessary for the Security Council to extend the UNMOP mandate after 15 July 1997. It is necessary for the United Nations observers to remain on that peninsula until a mutually acceptable solution has been found in bilateral negotiations with the Republic of Croatia.

For my part, I also wish to assure you on this occasion that the Federal Republic of Yugoslavia is ready to conduct negotiations on the Prevlaka issue in accordance with the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia and in the spirit of the Charter of the United Nations and good-neighbourly relations, which will directly contribute to the consolidation of lasting peace and full stabilization of the situation in the region at large.

(Signed) Dr. Radoje KONTIĆ

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S/1997/395
27 May 1997

ORIGINAL: ENGLISH

LETTER DATED 25 MAY 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to our letters addressed to the President of the Security Council, the most recent of which was dated 26 April 1997 (S/1997/342), I have the honour to enclose herewith a letter dated 25 May 1997 addressed to you from the Minister of External Relations of the Republic of the Sudan, Mr. Ali Osman Mohamed Taha, drawing the attention of the members of the Council to the hostile policies and practices of the Eritrean regime against the Sudan.

I would appreciate it if the text of the present letter and its annex could be brought to the attention of the members of the Security Council and circulated as a document of the Council.

(Signed) Hamid Ali ELTINAY
Chargé d'affaires a.i.

97-13861 (E) 270597 270597

ANNEX

[Original: Arabic]

Letter dated 25 May 1997 from the Sudanese Minister for Foreign Affairs addressed to the President of the Security Council

Further to my letters and the notes from the Sudanese Government concerning the provocations and the repeated military attacks that are being carried out by the Eritrean authorities in Sudanese territory, incidents which the head of the Eritrean regime has recognized in his statements to international information agencies, and in view of the desire of the Sudan to keep you informed of the acts of aggression perpetrated by that regime, I should like to inform you of further developments concerning the overtly hostile policy of Eritrea.

The Sudanese authorities have learned from reliable sources that Eritrean military units, with the support of vehicles, have amassed on the frontier between the two countries, which demonstrates the intention of the Eritrean regime to attack in the near future eastern Sudan, in this case, the area situated between the towns of Kassala and Port Sudan.

The Sudanese Government is firmly convinced that the time chosen by Eritrea in order to launch its imminent attack, which coincides with the signing of the Khartoum peace agreement and the preparations for a meeting to be devoted to peace in the Sudan, proves without the shadow of a doubt that that country has become the main obstacle to the peace process under way in the Sudan. Moreover, Eritrea's growing hostility represents henceforth one of the gravest threats to security and stability in the region and is impeding the implementation of the measures that the Sudan has taken in order to establish peace and stability at the national level and reorient its efforts towards the development, recovery and reconstruction of the country.

The Sudan, which insists that the international community should assume all its responsibilities by guaranteeing peace, security and stability in the region, calls upon all countries and international and regional organizations to intervene speedily in order to prevent the Eritrean forces from launching their attack against the Sudan and to induce Eritrea to abandon its hostile policy, cease intervening, overtly or under various pretexts, in Sudanese internal affairs, and put an end to its acts of provocation and military aggression designed to defeat the efforts being made to establish peace and stability in the Sudan.

The Sudan, which is devoting all its efforts and means to the establishment of peace at the national level, reaffirms its intention to respect the principle of good-neighbourliness and not to intervene in the internal affairs of other States, as well as its right to defend its sovereignty and territorial integrity.

(Signed) Ali Osman MOHAMED TAHA
Minister for Foreign Affairs

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S/1997/396
28 May 1997

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 16 May 1997 (S/1997/372),

Decides:

(a) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1997;

(c) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement Security Council resolution 338 (1973).

97-14019 (E) 280597

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General Assembly
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A/51/909
S/1997/397
28 May 1997
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 43
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fifty-second year

Letter dated 23 May 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement by the Presidency of the European Union on Burundi, issued on 20 May 1997 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under agenda item 43, and of the Security Council.

(Signed) N. H. BIEGMAN
Permanent Representative of
the Netherlands to the United Nations

97-13873 (E) 280597 280597

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ANNEX

[Original: French]

Statement by the Presidency of the European Union on Burundi, issued on 20 May 1997

The European Union notes with satisfaction the announcement on 13 May by President Pierre Buyoya of the negotiations that are under way in Rome in order to bring about a ceasefire in Burundi and also of the forthcoming start of the political negotiations under the auspices of the former President of Tanzania, Julius Nyerere, in which all the parties in Burundi should be involved.

It considers that this announcement represents an important stage in the search for negotiated solutions to the conflict in Burundi. It encourages the parties concerned to begin this process as soon as possible.

The European Union cautions them against any attempt to resort to force in order to impede the process of national reconciliation.

The European Union reiterates its concern about the humanitarian situation in the assembly camps and calls upon the regime of Burundi to dismantle the camps as speedily as possible.

The European Union recalls its statement of 7 May, in which it firmly condemned the continuation of the violence in the field and, in particular, the massacres and acts of extortion perpetrated against the civilian population. It urgently appeals to all of the armed groups to agree to an immediate cessation of hostilities in order to halt the violence and create conditions for starting negotiations in an atmosphere of trust and tranquillity.

The European Union is prepared to promote the peace process by providing its assistance both at the political level and in terms of the concrete aid which would prove necessary for the process aimed at restoring democracy. To this end, it enlists its Special Envoy, Mr. Ajello, to support the efforts of the mediator, Mr. Julius Nyerere, in cooperation with the Special Representative of the United Nations and the Organization of African Unity, Mr. Sahnoun, and the other international observers.

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A/52/156
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27 May 1997
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GENERAL ASSEMBLY
Fifty-second session
Item 38 of the preliminary list*
SUPPORT BY THE UNITED NATIONS
SYSTEM OF THE EFFORTS OF GOVERNMENTS
TO PROMOTE AND CONSOLIDATE NEW OR
RESTORED DEMOCRACIES

SECURITY COUNCIL
Fifty-second year

Letter dated 23 May 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement by the Presidency of the European Union on Albania, issued on 16 May 1997 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under agenda item 38 of the preliminary list, and of the Security Council.

(Signed) N. H. BIEGMAN
Permanent Representative of
the Netherlands to the United Nations

* A/52/50.

97-13879 (E) 270597 270597

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ANNEX

[Original: English and French]

Statement issued on 16 May 1997 by the Presidency of the European Union on Albania

The Presidency of the European Union is deeply concerned by the continued lack of consensus among the Albanian political parties regarding a new electoral law needed to proceed with early elections at the end of June, as agreed upon by all parties.

Albanian political differences must be resolved by Albanians and within the time-frame they themselves have set.

The Presidency of the European Union strongly supports the efforts of Dr. Vranitzky, Personal Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe, with whom it is in continuous contact.

The Presidency urges all political parties in Albania to reach agreement on the electoral law, on free access to the media and on participation in the elections.

Should the current political stalemate not be overcome within the coming days and should elections not take place on 29 June, the European Union, in close coordination with the international community as a whole, may be forced to reconsider its efforts in support of Albania.

It is up to the Albanian parties to create the right conditions for the future of their country.

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S/1997/399
27 May 1997
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 26 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 26 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, giving details of the aerial violations that have accompanied the fresh incursions into Iraq's territory by the Turkish armed forces and urging the United Nations to meet its responsibilities as laid down in the Charter and to halt the intimidation and aggression to which Iraq is constantly being subjected.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-13899 (E) 280597 280597

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Annex

Identical letters dated 26 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and to the President of the Security Council

Further to my letter of 21 May 1997 concerning fresh incursions into the territory of the Republic of Iraq by Turkish armed forces (S/1997/391, annex), I should like to inform you that the Turkish aerial violations have been continuing. The details are set forth hereunder.

1. Between 0725 and 1910 hours on 20 May 1997 Turkish fighter aircraft violated the airspace of the Republic of Iraq with 20 sorties, carried out by 10 two-aircraft formations. This aerial activity was centred on the Dohuk, Aqrah, Amadiyah, Rawanduz and Koysanjak areas.

2. Between 0820 and 1354 hours on 21 May 1997 Turkish fighter aircraft violated the airspace of the Republic of Iraq with 12 sorties, carried out by six two-aircraft formations. This aerial activity was centred on the Amadiyah, Rawanduz, Pibu and Koysanjak areas.

In conveying to you the details of this new incursion and of these violations by the Turkish armed forces, the Government of Iraq expresses its condemnation of such acts of military aggression. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the United States of America and its allies in northern Iraq.

As stated in my previous letter, the Turkish Government bears full international responsibility for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to determine an appropriate response to such brutal military aggression and to seek compensation for the damage caused by these Turkish breaches and violations of Iraq's territory and airspace and for the human suffering inflicted on Iraqi citizens by these acts of aggression. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbour to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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S/1997/400
27 May 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 24 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you as follows:

1. On 8 May 1997 the Kuwaiti side seized Iraqi fishing boat No. 4278/Basrah, an Evinrude-type fibreglass craft fitted with motor number R 1501086. Four Iraqi fishermen were fishing in Iraqi territorial waters when their boat suffered a mechanical failure and drifted with the current towards the Kuwaiti shore. Two Kuwaiti gunboats thereupon intercepted them, firing in their direction. This forced them to abandon their boat and make for the Iraqi shore. The two Kuwaiti vessels then towed the Iraqi boat towards the Kuwaiti shore.

2. At 0900 hours on 8 May, near buoy 31 at coordinates 913211 (1:100,000 map of Faw), two lightly armed Kuwaiti patrol boats fired on an Iraqi P-61 patrol boat that was inside Iraqi territorial waters. They then withdrew to the Umm al-Tha'alibah approach.

I request your intervention with Kuwait with a view to inducing it to desist from the acts of provocation against Iraqi citizens that have become recurrent in recent times and are in violation of the Charter of the United Nations, the norms of international law and the rules governing the demilitarized zone. In accordance with the principle of State responsibility, I also affirm the legally established right of the Republic of Iraq to seek compensation for the damage caused to its citizens by such acts of aggression and to demand that Kuwait should return the boat in question forthwith.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-13905 (E) 280597 280597

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/401
27 May 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 26 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 26 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns the fact that the United States of America has, for no good reason, placed on hold an application, submitted in accordance with Security Council resolution 986 (1995) and contained in document S/AC.15/COMM.387, concerning the supply of a malaria-control insecticide. This is at a time when the need for this item is becoming acute because of the rapid spread of malaria in Iraq and, in particular, in the country's northern governorates.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

97-13911 (E) 280597 280597

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Annex

Letter dated 25 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

The representative of the United States of America in the Security Council Committee established by resolution 661 (1990) has placed on hold the application contained in document S/AC.25/1997/COMM.387 concerning the supply of a malaria-control insecticide called Icon that the Iraqi Ministry of Health had contracted to purchase from the British company Zeneca. He has done so on the pretext that the item is not included in the categorized list of supplies annexed to the purchase and distribution plan approved by the Secretary-General of the United Nations. When we sent to the secretariat of the 661 Committee a photocopy of the page of the categorized list on which the item appears, thus proving beyond any doubt that the item is indeed included in the aforesaid list, the representative of the United States of America again objected to the item being supplied on the grounds that the quantity ordered was greater than that stated in the list.

I should like to acquaint you with the facts of the matter, which are as follows:

1. Clear signs of malaria began to appear in Iraq's three northern governorates (Dohuk, Sulaymaniyah and Irbil) in 1995, and 100,000 confirmed cases were reported at that time. This was because of the absence from the area of the central authorities and their associated institutions.

2. The Ministry of Health drew the attention of the World Health Organization (WHO) to this serious situation in an official memorandum, pointing out the danger it posed not only to Iraq but also to neighbouring countries (the Syrian Arab Republic, the Islamic Republic of Iran and Turkey). A regional meeting of representatives of Iraq and these countries was then convened in Istanbul under the auspices of WHO in order to adopt speedy measures to contain the spread of the epidemic, and decisions were taken with a view to controlling the disease, including a decision by WHO to import Icon.

3. It is three years since this situation arose, and in that time only a very small quantity of Icon reached Iraq because of the inability of WHO to obtain the necessary resources. This caused the disease to spread to the governorates of Diyala, Kirkuk and Mosul, which border on the three northern governorates, and the number of confirmed cases has multiplied. With the signing of the memorandum of understanding between the Government of Iraq and the United Nations Secretariat on the implementation of Security Council resolution 986 (1995), we were told that Iraq could now import this item under the terms of the memorandum.

4. When the categorized list of items was drawn up in mid-1996, the estimated quantity of Icon given was that that would have been sufficient for spraying to be carried out in the three northern governorates had the Icon actually been delivered in 1996. However, another mosquito breeding season having passed and the disease having spread to three more governorates, the health authorities

concerned were obliged to increase the quantity in order to ensure that there would now be enough for six governorates. The standard sanitary procedure followed in all parts of the world is that all areas in which an epidemic has spread should be sprayed and that no area should be singled out to the exclusion of others.

That the United States representative objects to the proposed quantity constitutes yet another disgrace calling for further protest and condemnation. United States opposition to supplying Iraq with a substance necessary to control an epidemic of malaria is a clear manifestation of that country's policy of enmity towards the Iraqi people and, in particular, towards Iraq's Kurdish citizens given that the malaria epidemic is more widespread in northern Iraq than elsewhere.

The United States Government sheds crocodile tears for the Iraqi Kurds and maintains an illegal and unlawful aerial embargo on northern Iraq. At the same time, it is killing tens of thousands of Iraqi Kurds by refusing to approve a contract for the purchase of an insecticide for use in controlling the malaria epidemic.

I request that you intervene personally, as is required of you in accordance with your responsibilities under the memorandum of understanding of 20 May 1996, so that an expeditious solution to this humanitarian issue may be found.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs

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S/1997/401/Corr.1
2 June 1997

ORIGINAL: ENGLISH

LETTER DATED 26 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Corrigendum

Page 2, Annex

The title of the annex should read

Letter dated 26 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

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UNITED NATIONS **S**

Security Council

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S/1997/402
27 May 1997
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ORIGINAL: ARABIC

LETTER DATED 26 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns the fact that the United States of America has placed on hold a number of contracts for the importation of medicines in accordance with the procedures set forth in Security Council resolution 986 (1995) and has done so on the pretext that the contracts in question would include free medical samples, ignoring the fact that the inclusion of such samples in contracts for medicines is a standard commercial practice in all countries of the world.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

97-13917 (E) 290597 290597 300597

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Annex

Letter dated 25 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

The representative of the United States of America in the Security Council Committee established by resolution 661 (1990) has placed on hold the contracts for the supply of pharmaceuticals numbered 252, 253, 391, 428, 429 and 553 and has done so on the pretext that they would include free merchandise or free medical samples. The use of this pretext only confirms, once again, that the United States of America is pursuing a policy, which has become evident to one and all, of impeding the smooth implementation of the Memorandum of Understanding and blocking the contracts of sale submitted by various foreign companies to the secretariat of the 661 Committee in order to ensure the provision of basic supplies to Iraq.

The inclusion of free merchandise and medical samples in contracts for medicines is a standard commercial practice in all countries of the world. Pharmaceutical companies distribute them to physicians in order to introduce their products and to provide information on a particular medication and on its ingredients and uses as well as other details of a scientific nature that are useful in the treatment of patients. There is no doctor's office in the world, not even in the United States, that is without medical samples of this kind, and the doctor usually gives them to his patients free of charge.

The question of free merchandise and free medical samples has been discussed by those concerned in the Iraqi Ministry of Health, the monitoring units of the Office of the Coordinator of the Inter-Agency Humanitarian Programme and the observers of the World Health Organization (WHO), and agreement has been reached on a formula for their distribution. The same principles are to be used as those on the basis of which medicines imported under the purchase and distribution plan are distributed to all governorates of Iraq, including the three northern governorates, while taking account of the population and number of doctors in each governorate. The same principles of monitoring and observation will be applied to free merchandise and medical samples as are applied to other medicines.

In his summary presentation to the Security Council on 22 May 1997, Mr. Yasushi Akashi, Under-Secretary-General for Humanitarian Affairs, referred to the disgraceful state of the hospitals he visited, without prior arrangement, in Baghdad and Mosul during his visit to Iraq from 3 to 9 May 1997. Mr. Nakajima, Director-General of WHO, in a statement issued after his visit to Iraq, also said that the country's health system was on the verge of collapse. These facts have not been enough to persuade the representative of the United States of America to desist from using irresponsible methods to prevent thousands of sick children, older persons and women from obtaining the medicines they need to alleviate the suffering brought on by the diseases they have contracted as a result of the maintenance of the unjust embargo against Iraq, which has taken on a political and biased character and which has the goal of undermining the national political regime in Iraq.

I request that you intervene personally, as is required of you in accordance with your responsibilities under the Charter and the provisions of resolution 986 (1995), so that an expeditious solution to this humanitarian issue may be found.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs

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S/1997/403
27 May 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 26 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 25 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns the fact that the United States of America has placed on hold more than 40 contracts for the supply of drugs submitted under the terms of Security Council resolution 986 (1995). It has done so on the pretext that the contracts in question are not included in the categorized list annexed to the distribution plan, ignoring the fact that the list gives the generic names of drugs and the contracts give both trade names and generic names. This confirms that the purpose of placing these contracts on hold is to prevent thousands of sick children, older persons and women from obtaining the drugs they need.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

97-13923 (E) 290597 290597

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Annex

Letter dated 25 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to inform you that the representative of the United States of America in the Security Council Committee established by resolution 661 (1990) has placed on hold more than 40 of the contracts for the supply of drugs to the Iraqi Ministry of Health that have been submitted by foreign companies through their countries' permanent missions in New York to the secretariat of the 661 Committee. He has done so on the pretext that the drugs ordered are not included in the categorized list of items annexed to the purchase and distribution plan approved by the Secretary-General.

I should like to acquaint you with the facts of the matter, which are as follows:

The categorized list of items drawn up by the Iraqi Ministry of Health, working jointly and in coordination with the office of the World Health Organization in Baghdad, was drafted using the generic names of drugs rather than their trade names. This was done for practical reasons, including a desire to allow the Ministry a high degree of flexibility in securing numerous and diverse offers from a variety of sources, at competitive prices and on the customary commercial terms, and in order to avoid being restricted to a single brand name under which all our requirements for a particular item might not be available within the period the Memorandum of Understanding is in effect. The contracts concluded nevertheless included the generic name of the drug in question as well as the trade name in order to facilitate reference and scrutiny by the experts and members of the 661 Committee. An indication of this is that the representative of the United States in the Committee lifted the hold placed on contracts Nos. 202, 227, 229, 236, 318 and 387 after we had provided the above clarifications to the Committee's experts in writing or by means of oral explanations given by our Permanent Mission in New York.

In his summary presentation to the Security Council on 22 May 1997, Mr. Yasushi Akashi, Under-Secretary-General for Humanitarian Affairs, referred to the disgraceful state of the hospitals he visited, without prior arrangement, in Baghdad and Mosul during his visit to Iraq from 3 to 9 May 1997. Mr. Nakajima, Director-General of WHO, in a statement issued after his visit to Iraq, also said that the country's health system was on the verge of collapse. These facts have not been enough to persuade the representative of the United States of America to desist from using irresponsible methods to prevent thousands of sick children, older persons and women from obtaining the drugs they need to alleviate the suffering brought on by the diseases they have contracted as a result of the maintenance of the unjust embargo against Iraq, which has taken on a political and biased character and which has the goal of undermining the national political regime in Iraq.

I request that you intervene personally, as is required of you in accordance with your responsibilities under the Charter and the provisions of

resolution 986 (1995), so that an expeditious solution to this humanitarian issue may be found.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs

UNITED NATIONS **S**

Security Council

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S/1997/404
27 May 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 27 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the seventh comprehensive report on the damage caused by the implementation of Security Council resolutions 748 (1992) and 883 (1993), which covers the period from 15 April 1992 to 31 December 1996.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative

97-13929 (E) 060697 060697

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Annex

Damage caused by the implementation of Security Council resolutions 748 (1992) and 883 (1993) during the period from 15 April 1992 to 31 December 1996

The impact of the coercive and unjust economic sanctions imposed on the Libyan people under Security Council resolutions 748 (1992) and 883 (1993) continues to worsen alarmingly day by day. The serious damage done and its adverse consequences have affected all aspects of life equally, including humanitarian, social and economic aspects. They have caused all development programmes and plans for the expansion of infrastructure to be blocked and have thus thwarted the aspirations of the Libyan people to achieve further progress, prosperity, development and stability and to live in security and peace.

The maintenance of the sanctions has caused mounting financial losses over the six years since they were first imposed, and such losses have now reached a total of some 23,590,379,992 dollars.

Some of the details compiled to illustrate the scale of the enormous human and material damage and of the huge financial losses sustained by the Libyan people over the period in question are given hereunder.

I. HUMANITARIAN CONSEQUENCES

Health and social welfare

The sector aims to provide health care and social services to all members of society with a view to achieving the worthy goals set by the international community acting through the relevant international and regional organizations, the principle of "Health for All" having been established in order to promote the health and social welfare of all segments and classes of society in accordance with sound scientific ameliorative principles.

The sector has sustained enormous damage in material and human terms, and this has affected all segments of Libyan society and most members of the expatriate communities in the country.

The maintenance of the sanctions has caused financial losses for the health and social welfare sector and related facilities estimated at some 210,000,000 dollars because of delays in shipments of the medical supplies imported by the relevant companies to meet the needs of medical education, university faculties and specialized medical institutes as well as of supplies for institutions for the disabled, rehabilitation centres and homes for the elderly.

Some aspects of the damage caused in human and material terms and of its adverse consequences are presented hereunder.

1. Some 16,950 urgent and critical cases that could not be treated in local hospitals could also not be sent abroad. This figure includes patients suffering from heart diseases, from fractures of the spinal column, ribcage and skull, from chronic eye diseases and detached retinas, from serious burns and from cancer and malignant tumours as well as patients requiring heart surgery, brain surgery and neurosurgery, spinal bone-marrow and kidney transplants, corneal grafts and the fitting of prostheses. The maintenance of the aerial embargo has made it impossible to move such patients by air directly from the Jamahiriya to other countries in order to receive treatment, have tests done or have surgical procedures performed in advanced facilities.

The aerial embargo has been directly responsible for preventing the movement of these urgent cases. This has caused most of the patients concerned to die in tragic and cruel circumstances, and the opportunity to save lives has been lost.

2. More than 5,750 persons, male and female, have died, as described in paragraphs 3, 4 and 5 below, and some 12,515 have sustained serious injuries, disabilities and permanent impairments.

3. Mostly as a result of traffic accidents, more than 850 sick and injured patients have died on the roads while being taken overland by ambulance to airports in neighbouring countries for onward travel to overseas destinations in the hope that their lives might be saved despite the hardships and difficulties thus encountered.

4. There have been some 1,245 stillbirths and 605 women have died in childbirth in maternity hospitals and clinics because of the lack of the prophylactic drugs, serums and vaccines previously shipped directly by air freight from major suppliers overseas. Before the imposition of the embargo, these had been shipped in accordance with arrangements designed to maintain their efficacy and quality and to ensure the regular delivery of sufficient quantities to meet requirements under both normal and exceptional circumstances.

5. There has been a rise in road-accident fatalities because of the increase in overland travel brought about by the maintenance of the aerial embargo. In view of the great distances between major cities and the large size of the country, increased use of the extensive internal road network has brought sudden death or permanent disability to hundreds of citizens.

There have been some 15,565 road-accident victims of all ages and both sexes, including 3,050 fatalities. The 12,515 victims who remain alive are suffering from serious injuries, handicaps and permanent disabilities.

More than 23,840 State-owned and private vehicles have been badly damaged, for an estimated cost of 2 million dollars.

6. A growing number of diabetics are dying because the serums and drugs required to treat sufferers are not available in sufficient quantities at the proper time.

7. The growing shortage of poliomyelitis serums and vaccines has delayed all the scheduled educational and preventive programmes associated with national and international immunization campaigns. Many Libyan and other children have thus been prevented from receiving the dosages scheduled for their age groups in accordance with the guidelines for immunization programmes and campaigns promulgated by the World Health Organization (WHO) and in compliance with national legislation and public health regulations.

8. The therapeutic and preventive services provided by school health programmes have been suspended, as have the programmes and activities of mother-and-child health-care centres, centres for the mentally retarded and disabled and mental and physical rehabilitation centres.

9. Overseas pharmaceutical companies have been dilatory in supplying the health and social welfare sector and its associated facilities with the drugs, equipment, instruments and supplies needed to treat and prevent disease.

10. Aircraft maintenance companies have been prevented from supplying the spare parts needed to maintain the country's air ambulance fleet and other on-board equipment, and this has hindered its optimal operation. These aircraft provide a humanitarian service to Libyan citizens and expatriates alike and

operate both between Libya and other countries and inside Libya itself, given that the country covers an enormous land area.

11. Shipments of medical supplies have been delayed, including those of special therapeutic and preventive drugs such as serums, vaccines, blood products, hormonal preparations, laboratory reagents, AIDS tests and radioiodine. These need to be imported by special order and shipped by air freight in accordance with the customary international procedures and standards. Most such consignments, especially those of poliomyelitis vaccine, are now subject to loss through inappropriate handling and storage, which destroys their efficacy, because they are shipped by sea and overland. This situation is causing increased mortality among women and infants, either in childbirth or owing to other conditions, and is adversely affecting standards of health care and treatment in general.

12. Progress in securing medical supplies and therapeutic and preventive services by means of international technical cooperation agreements has been impeded. The Jamahiriya always endeavours to maintain such relations with the countries of the world, and it is anxious to expand and consolidate them with a view to improving the health and social welfare sector and all its associated health facilities in order to achieve better standards of health care and secure better therapeutic and preventive services for all residents.

13. Cooperation between the General People's Committee for Health and Social Security and Associated Facilities and WHO has been disrupted, and most visits by international experts and WHO working groups have been cancelled or postponed. This represents a constant impediment to all basic health-care and preventive programmes and to all policies for the promotion and development of the health and social welfare sector. International cooperation is thus left in abeyance, and the goals of the WHO Global Strategy for Health for All by the Year 2000 cannot be achieved.

14. Plans for visits by highly qualified and experienced medical specialists and lecturers from universities, colleges and advanced medical centres in various countries have been disrupted. More than 365 specialists and teachers in various medical fields who were invited to come to the country in order to treat difficult cases, carry out intricate surgical interventions, act as university examiners and take part in international conferences, seminars and workshops were unable to do so.

15. Maintenance services have deteriorated and there is a growing shortage of essential spare parts and sophisticated electromechanical medical equipment and instruments. There is also a shortage of technical expertise in most public hospitals and medical centres throughout the country, whether in the cities, in villages or in the countryside. The cost of these requirements has reached some 30 million dollars.

16. More than 8,500 expatriate medical personnel have been unable to come to the country to work in the health and social welfare sector and its associated health facilities because of the difficulties, obstacles and hardships they encounter in doing so. Some 6,900 specialists, covering most medical fields, have terminated their contracts, and this has caused appreciable disruption in the medical services and health care offered in most health facilities.

II. ECONOMIC CONSEQUENCES

A. Agriculture

The implementation of Security Council resolutions 748 (1992) and 883 (1993) has had many adverse consequences for the country's agricultural sector. The sector's institutions have suffered damage, and implementation of

its policies, plans and programmes has been disrupted. There has consequently been an appreciable fall in agricultural output that has had a negative impact on people's standard of living.

The financial losses that the sanctions caused the agriculture sector between 5 April 1992 and 31 December 1996 have been estimated at 337,253,106 dollars.

Some of the causes of the material damage and financial losses suffered by the sector are set forth hereunder.

1. It has not been possible to import grafted fruit-tree seedlings in the quantities needed because of the difficulty of shipping them by sea. The goals of the sector in this area have therefore not been met.

2. Estimates of the shortfall in crop output in the period since sanctions were first imposed up to the end of 1996 are given in table 1.

Table 1

Crop	Target output (Tons)	Actual output (Tons)	Shortfall (Tons)	Cost of shortfall
Wheat	490 502	187 760	329 742	59 522 984
Barley	1 292 294	569 448	622 846	82 555 289
Pulses	54 243	27 400	26 843	7 639 750
Fodder	1 105 994	821 316	385 278	98 807 256
Total	2 943 033	1 596 924	1 364 709	248 525 279

3. The importation of beekeeping supplies and pharmaceuticals has been held up, so that many swarms have been destroyed and honey production has fallen.

4. It has not been possible to export the surplus of vegetables and fruit, items which must be shipped to consumer markets abroad directly by air.

5. There have been delays in obtaining the equipment, tools and supplies needed for agricultural production, and importation costs have risen because such items are shipped by way of third countries.

6. There has been delay in obtaining fire-fighting equipment and chemicals, so that serious damage has been done to woodlands.

7. Travel for trainees, participants in seminars and workshops and envoys on official mission has been suspended because of the aerial embargo and the additional travel costs incurred.

8. Animal health inspectors have had difficulty in operating because of the suspension of air travel between the Jamahiriya and the countries from which shipments are made, and their inspection work has thus been hampered. The routing of their travel by way of third countries has also increased costs.

9. Experts, technicians and inspectors have had difficulty in travelling to and from the country, and periodicals and scientific publications have been able to reach the Jamahiriya only by way of its seaports and across its land boundaries.

10. It has not been possible to complete work on the agricultural chemical analysis laboratory, so that the analysis of chemical residues on produce has had to be done outside the country.

11. The agricultural aviation company has been unable to obtain spare parts for aircraft used in spraying, and chemicals are also in short supply. The company has therefore been unable to complete its spraying programme.

12. Spare parts for agricultural machinery have not been available, including parts for immersion pumps and well-maintenance equipment.

13. Equipment and supplies for the maintenance of dams have not been available, and the resulting damage has caused the wasteful release of large quantities of water into the sea, the erosion of cultivable soil and the destruction of the agricultural enterprises for which the dams were built.

14. It has not been possible to obtain equipment and supplies for the maintenance of flood-monitoring stations and weather stations.

15. Drilling equipment and related spare parts and supplies have not been available, thereby disrupting plans for the drilling of exploratory wells and production wells.

16. The implementation of a number of contracts has been delayed by the impossibility of carrying out aerial photography. Maps, both topographical maps and soil maps, have therefore not been produced.

17. There has been an acute shortfall in the importation of spare parts for drilling equipment and pumps and a consequent delay in the completion of projects for which contracts had been awarded.

18. The delayed arrival of supplies needed for the drilling of wells has increased costs.

19. Mail, previously carried by air, has been late in arriving. This has meant that representatives of the Jamahiriya have not arrived on time at meetings, conferences, seminars and training courses.

20. Libyan representatives have been unable to attend certain international meetings, seminars and training courses, and the country has thus been prevented from contributing to and benefiting from particular programmes.

21. Experts have had difficulty reaching the country in the absence of direct flights.

22. Essential scientific periodicals and bulletins, studies published by international organizations, and, in particular, information on the outbreak of diseases and epidemics in various parts of the world have been slow in reaching the country.

B. Livestock

The continued implementation of Security Council resolutions 748 (1992) and 883 (1993) has had an increasingly adverse impact on output in the livestock sector in terms of both its quantity and quality. The situation is summarized hereunder.

There have been delays in the delivery of veterinary supplies, especially of serums and vaccines needed to protect farm animals and poultry from diseases that would otherwise cause a 90-per-cent rate of loss.

There are growing shortages of the preparations used in laboratory

diagnosis, and this has had an adverse impact on laboratories working on the diagnosis of animal diseases.

The suspension of air traffic has prevented specimens from being sent to international laboratories and reference centres in order to verify the results obtained in testing for diseases that are difficult to diagnose locally. This has raised the level of risk and has increased animal fatalities.

The aerial embargo has increased the cost of veterinary vaccines, particularly those imported from distant countries such as Australia. The procedures involved in shipping vaccines by air from one European country to another or to a neighbouring Arab country and then reshipping them overland or by sea to the Jamahiriya have increased the risk of spoilage or the loss of all or some of their efficacy.

In the event of outbreaks of disease among livestock, it is difficult to ensure the arrival of vaccines and serums at the proper time.

Many enterprises and plants in the livestock sector have ceased operation and output rates have fallen because of the delayed arrival of primary inputs, spare parts and the tools and equipment needed for production and operation.

The arrival from abroad of experts and technicians to carry out urgent maintenance and repair work has been delayed, and their travel costs have increased.

The scale of the physical damage and financial losses sustained by the sector has prevented the achievement of the targeted output of animal products (sheep and goats for breeding and slaughter; cattle for breeding and slaughter, and milk; and poultry and eggs). There have also been losses in mills and in fodder plants. Total losses for the period since sanctions were first imposed until 31 December 1996 are estimated at some 5,132,973,000 dollars.

C. Transport and communications

Between 15 April 1992, when sanctions were first imposed on the country, and the end of 1996, the transport and communications sector sustained serious damage and suffered enormous financial losses owing to the maintenance of the aerial embargo. There have also been intangible effects that have had an adverse impact on the capabilities, aspirations and morale of all transport and communications workers. Financial losses are estimated at 2,489,167,978 dollars.

The material damage and financial losses sustained by the sector are set forth hereunder.

1. Libyan Arab Airlines

Libyan Arab Airlines has suffered very heavy financial losses, amounting to some 1,917,743,156 dollars. The company's management has had to close most of its offices, both inside the country and abroad, and to dismiss most of its staff since it has not been possible to meet the enormous costs involved.

2. Socialist Airport Company

The Company sustained losses of some 72,558,750 dollars. It has been dissolved and has suspended all activity given the loss of its revenues owing to the suspension of air traffic to and from the country. Losses have also

been caused by increasing expenditures on the maintenance and upkeep of airports and equipment without any offsetting financial return and by disbursements on salaries for airport maintenance technicians.

3. Light Air Transport Company

The Company has sustained financial losses amounting to some 26,337,000 dollars. It has been unable to obtain the spare parts necessary to operate its aircraft, to train its aircrews or to adhere to schedules in accordance with internationally approved operating standards. Many of its aircraft have, accordingly, been taken out of service.

4. Libyan Arab Air Freight Company

The Company has sustained financial losses in the order of 197,230,000 dollars. It has suspended activities at home and abroad because it has been unable to obtain the spare parts needed to maintain its aircraft, to train its aircrews or to adhere to schedules in accordance with international standards. At the same time, it has had to meet the cost of the salaries, wages and allowances of its employees without any offsetting financial return. The Company has therefore been dissolved owing to the high costs and expenditures that would otherwise be required.

5. General Board for Civil Aviation

The Board has sustained financial losses of some 83,488,734 dollars. They have been caused, in part, by:

(a) Paying the salaries, wages and allowances of its employees without realizing any return;

(b) The loss of annual revenues from international transit traffic through the country's airspace;

(c) The loss of annual revenues from the provision of ground services, air-navigation services and essential facilities as well as other less tangible services and facilities that it is difficult to enumerate or cost.

6. Surface and maritime transport and postal communications

The heavy financial losses sustained by the sector are set forth hereunder.

(a) National General Maritime Transport Company

The Company has sustained financial losses of some 76,234,000 dollars owing to accelerated rates of depreciation of ships and increased expenditures on maintenance, equipment, services and spare parts. The Company has also been encountering difficulties and delays in securing the issue of bank letters of credit for insurance companies and international protection associations.

(b) Socialist Ports Corporation

The financial losses of the Corporation have been in the order of 7,000,000 dollars, representing the amount it would have obtained from services and handling. It has also been unable to obtain essential spare parts and operating and maintenance equipment.

(c) General Postal and Telecommunications Corporation

Financial losses have amounted to some 94,036,334 dollars, and have been

caused, in part, by the increased costs incurred by the designation of intermediary exchange offices for the forwarding and receipt of international mail on its way to and from the country. Foreign postal administrations have also been holding frozen assets belonging to the Corporation.

(d) Road network

The increased use of all types of public and private passenger and freight vehicles and tractor-trailers on the roads has caused mounting and increasingly serious damage to the public road network throughout the country. There has been a corresponding increase in the financial resources allocated for maintenance of the public road network. Large amounts of money have also been required to meet the increased costs of general maintenance work on vehicle complexes and for mounting consumption of petroleum and petroleum products. Financial losses in the subsector are estimated at 14,500,000 dollars.

The implementation of Security Council resolution 883 (1993) has given rise to many new problems for the transport and communications sector, such as the freezing of the financial assets of companies and public corporations in the sector and the difficulties encountered in securing the issue of the bank letters of credit required for the execution of sectoral projects. The sector also encounters other difficulties relating to insurance procedures and additional costs for overseas transfers.

The financial losses that have been sustained by the transport and communications sector are shown in table 2.

Table 2

Subsector	Losses (dollars)
Libyan Arab Airlines	1 917 743 156
Socialist Airport Company	72 558 750
Light Air Transport Company	26 337 000
Libyan Arab Air Freight Company	197 230 000
General Board for Civil Aviation	83 488 734
National General Maritime Transport Company	76 234 000
Socialist Ports Corporation	7 000 000
General Postal and Telecommunications Corporation	94 036 334
Road network	14 500 000
Total	2 489 127 974

D. Industry and mining

The industrial and mining sector has continued to encounter numerous difficulties and to incur serious losses as an inevitable result of the implementation of Security Council resolutions 748 (1992) and 883 (1993). Use of capacity has fallen because of the irregular supply of raw materials, and this has halted production lines in many factories and has played a major part in the shortage of locally produced goods. The large number of intermediaries involved in the importation of production inputs has helped increase the cost

of finished products. It is to be noted that implementation of the operating budget, that is to say the foreign-currency budget, has decreased sharply, and this is due to the difficulty of securing backing for the credits required by foreign banks, delays and difficulties in the delivery of letters of credit and the need for the involvement of foreign intermediary banks. The sector has sustained large-scale material losses in the period since the embargo was first imposed on 15 April 1992 until 31 December 1996 for a total of some 5,136,410,732 dollars. The reasons for these losses are set forth hereunder.

1. The impossibility of shipping urgently needed spare parts by air has increasingly caused breakdowns of factory machinery, thus lowering output and raising costs.

2. Instructors and technicians from companies under contract for technical assistance work have had difficulty in reaching the country and have been placed at risk while travelling. This has disrupted planned schedules for operating and maintenance work in most factories and has had an adverse impact on their plans to increase productive capacity and improve efficiency. It has also increased their production costs.

3. There have been long delays in the arrival of documents relating to credits for raw materials and spare parts on order for factories in the sector. Measures have therefore had to be taken to secure agreement for the recovery of proceeds by means of bank guarantees requiring a lengthy wait. This has had an adverse impact on production programmes and has incurred extra costs.

4. The shipment of freight exclusively by sea has delayed the arrival of presentations and samples from companies in connection with the supply of inputs to factories belonging to companies in the sector. The consideration and selection of offers has thus been hampered, and timely decisions on them have been delayed. This has had an adverse impact on schedules for the opening of credits and for the importation of these items.

5. Factories have ceased production for various periods of time because of delays in the opening of credits and the difficulty of obtaining letters of credit from overseas banks. This has been as a direct result of the Security Council's decision to freeze the Jamahiriya's assets abroad.

6. There have been delays in importation and the opening of credits as a result of new procedural obstacles such as the large quantity of documentation required and the conditions imposed as a direct result of the sanctions.

7. There have been delays in the arrival of urgent consignments of raw materials and spare parts, which have customarily been imported by air as required, and this has disrupted production and had an adverse impact on it. The main reason for this is that some factories require raw materials that have a very short shelf-life and must be imported by air in small quantities in order to prevent delayed arrival and spoilage. The same applies to spare parts imported to cope with maintenance needs as they arise.

8. Schedules for the arrival and departure of experts, technical assistance teams, official envoys and trainees have been disrupted. The associated costs have also risen because such persons must now make an additional journey overland or by sea to and from neighbouring countries. Difficulties are also caused by administrative procedures in these countries and the time and effort they consume. This situation has had the effect of promoting a negative outlook among experts and trainees and dampening their enthusiasm.

9. Representatives of major overseas companies of interest to the industrial and mining sector are reluctant to come to the country to discuss possible areas for cooperation because of the hardships they might endure and

the time lost in following the procedures required.

10. Some companies of international renown have been reluctant to do business with Libyan companies because of the large number of banks that must be involved, the additional costs and the time lost in waiting for letters of credit to be issued. Companies in the sector have therefore had to import their requirements through third parties, which can increase prices by perhaps 15 per cent.

11. Training programmes abroad, which are of great importance in preparing national personnel to operate high-technology factories, have been disrupted. The implementation of resolutions 748 (1992) and 883 (1993) have prevented Libyan experts and technicians from keeping abreast of technological developments in world industry.

12. The aerial embargo imposed on the Jamahiriya has prevented personnel from the sector from participating in the many conferences, workshops and seminars that can make a major contribution to enriching scientific activity in the sector and to its ability to keep abreast of developments.

13. The ability of the companies in the sector to achieve the objectives for which they were established, including the provision of employment opportunities for citizens, has been curtailed.

14. The cost of opening letters of credit has increased because of the imposition of a bank commission, called "the risk commission", which is assessed at 2 per cent of the amount in question.

E. Finance and trade

Like all other crucial sectors, the finance and trade sector has been adversely affected by the stringent sanctions imposed on the Jamahiriya under Security Council resolutions 748 (1992) and 883 (1993). The financial losses sustained by the sector in the period from 15 April 1992 to 31 December 1996 are estimated at 5,865,000,000 dollars. The major reasons for this are:

(a) The impact on gross national product of output in the industrial, agricultural and fisheries sectors and of financial and banking transactions;

(b) The fall-off in the import-export trade as a result of the increased costs of purchasing and transporting the goods available;

(c) The notable decline of export earnings because of the reduced output of industry, agriculture and fisheries and the impossibility of exporting by air because of the maintenance of the aerial embargo;

(d) The freezing of Libyan assets abroad and the consequent loss of access to the customary international financing facilities, and delays with financial operations and letters of credit because of problems with payment and the arrival of documents as scheduled;

(e) A marked rise in prices on local markets (those of most goods and services having risen by more than 200 per cent and of others by between 70 and 150 per cent), which has exhausted the savings of Libyan consumers, particularly those in low-income groups, and has had an adverse impact on the real incomes of expatriates;

(f) The loss of business opportunities for Libyan and foreign businessmen, and the financial losses they have sustained owing to the requirement to travel overland or by sea and by way of third or fourth countries.

The financial losses sustained by the sector are set forth hereunder.

1. Some 1,145 million dollars have been lost because of the failure to honour letters of credit as scheduled for the importation of all types of clothing, ready-made shoes, foodstuffs, infant formula, electric and other appliances, spare parts, home and office furniture, and other essential goods imported from abroad to meet local consumption needs.

2. The financial losses arising out of shortfalls in the output of industry, agriculture and fisheries have been in the order of 3,535 million dollars, and their impact on the Libyan market is becoming clearer day by day.

3. The financial losses caused by the reduced volume of exports of agricultural and fishery products owing to the aerial embargo have been in the order of 513 million dollars.

4. The freezing of Libyan assets abroad and the lack of access to banking facilities for the opening of credits and for transfers to meet the exportation and importation needs of the public and private sectors have resulted in financial losses of some 350 million dollars.

5. There have been financial losses of some 313 million dollars because of the additional travel costs incurred by Libyan businessmen, in both public and private sectors, when obliged to adjust their travel arrangements to the routes flown by foreign carriers from airports in neighbouring countries.

F. Energy

The continued implementation of the resolutions imposing an embargo on the Jamahiriya has caused increasing damage to the petroleum sector and has had adverse repercussions for most companies. There is a shortage of spare parts for equipment essential to continued production and spare parts needed in essential maintenance work. The financial losses are estimated at 5 billion dollars.

Details of the damage done to the petroleum sector and its impact on the Libyan people and on development plans are given hereunder.

1. Most of the production targets set in accordance with the capacities available to the companies operating in the sector have been adversely affected.

2. Companies have encountered numerous operating difficulties because they have been unable to replace old equipment, thereby raising maintenance and operating costs. It has been impossible to obtain equipment and spare parts necessary for operation and maintenance.

3. Projects associated with the refining industry have been delayed, and this delay will naturally increase the costs of execution when the opportunity presents itself.

4. The petroleum sector has had difficulty securing access to modern technology because few of its staff can be send abroad for advanced training and to keep abreast of developments.

5. There has been a great increase in costs associated with travel for workers on appointment and termination, on occasional and annual leave and on official duty, over and above the time wasted as a result of the number of workdays lost while they are in travel status.

6. There has been a great increase in expenditures on materials and spare parts for operating purposes, and this has raised production costs in general.

7. Experts and highly skilled workers are reluctant to work for companies in the sector.

TOTAL FINANCIAL LOSSES RESULTING FROM THE DAMAGE CAUSED BY THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTIONS 748 (1992) AND 883 (1993) BETWEEN 15 APRIL 1992 AND 31 DECEMBER 1996:

23,590,379,992 DOLLARS

Sector	Approximate financial losses (dollars)
Health and social welfare	210 000 000
Agriculture	337 253 104
Animal husbandry	5 132 973 000
Transport and communications	1 917 743 156
Mining and industry	5 136 410 732
Finance and trade	5 856 000 000
Energy (petroleum and electricity)	5 000 000 000
Total	23 590 379 992

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28 May 1997
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France, Germany, Italy, Japan, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its relevant resolutions and in particular its resolutions 1082 (1996) of 27 November 1996 and 1105 (1997) of 9 April 1997,

Recalling also its resolution 1101 (1997) of 28 March 1997, which expressed the Security Council's deep concern over the situation in Albania,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

Reiterating its appreciation for the important role played by the United Nations Preventive Deployment Force (UNPREDEP) in contributing to the maintenance of peace and stability and paying tribute to its personnel in the performance of their mandate,

Welcoming the significant progress made by the Governments of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia in developing their mutual relations in many areas and reiterating its call on the two Governments to implement in full their Agreement of 8 April 1996 (S/1996/291, annex), in particular regarding the demarcation of their mutual border in the light of the willingness shown by them to resolve the matter,

Taking note of the letter of 1 April 1997 from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia to the Secretary-General, requesting the extension of the mandate of UNPREDEP (S/1997/267, annex),

Having considered the report of the Secretary-General of 12 May 1997 and the recommendations contained therein (S/1997/365 and Add.1),

Noting his observation that recent developments in the region, and in particular in Albania, have demonstrated that stability there remains fragile,

1. Decides to extend the mandate of UNPREDEP until 30 November 1997 and to start as of 1 October 1997, taking into account the conditions prevailing at that time, a two-month phased reduction of the military component by 300 all ranks;

2. Requests the Secretary-General to keep the Council regularly informed about any relevant developments and further requests the Secretary-General to review the composition, deployment, strength and mandate of UNPREDEP as outlined in his report, taking into consideration the situation prevailing at that time in the region, in particular in Albania including in the context of elections in that country, and to report to the Council by 15 August 1997 for its consideration;

3. Welcomes the redeployment of UNPREDEP already achieved in the light of the situation in Albania, and encourages the Secretary-General to continue further redeployment of UNPREDEP taking into consideration the situation in the region, consistent with the mandate of UNPREDEP;

4. Decides to remain seized of the matter.